



FRED WILLIAMSON & ASSOCIATES, INC.
Telecommunications Management Services

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Twin Valley Telephone, Inc.)	CC Docket 97-213
Communications Assistance for Law)	
Enforcement Act (CALEA) Extension of)	
Capability Requirements)	

PETITION FOR EXTENSION

Twin Valley Telephone, Inc. ("Twin Valley") respectfully submits this request for an extension of the January 30, 2004 deadline for compliance, pursuant to Section 107(c) of the Communications Assistance for Law Enforcement Act (CALEA), for certain capability assistance requirements imposed by Section 103 of CALEA. Specifically, Twin Valley requests the Commission to extend the deadline of Section 103 compliance with respect to packet-mode communications to January 30, 2005.

HISTORY

Twin Valley is a rural wireline local exchange carrier with six (6) exchange areas serving Barnard, Bennington, Beverly, Greenleaf, Miltonvale and Tescott, Kansas. Twin Valley has approximately 2327 access lines, serving both residential and business customers. Twin Valley qualifies as a rural telephone company under 47 U.S.C. §153(37).

Twin Valley Telephone, Inc. previously participated with the Federal Bureau of Investigation (FBI) in the Flexible Deployment Program. Since this program is no longer offered, there is not a packet-mode capability solution nor standard for equipment used for such services as DSL. Compliance regarding DSL services is conditional on the development of a standard for manufacturers of such technology.

ARGUMENT

Section 107(c) authorizes carriers to petition the Commission for one or more CALEA deadline extensions, and the Commission may grant an extension where, as compliancy with the Section 103 capabilities requirements is not reasonably achievable through application of technology. The Commission should consider Twin Valley's Petition for an extension under Section 107(c) and grant Twin Valley an extension of the November 19, 2003 deadline for packet-switched technologies. Compliance will not be reasonably achievable for Twin Valley by that date due to there not being standards in place for the DSL technologies that Twin Valley employs.

FW&A, inc.
January 30, 2004



FRED WILLIAMSON & ASSOCIATES, INC.
Telecommunications Management Services

As noted above, Twin Valley offers DSL-based services. Unfortunately, the Industry does not provide standards for carriers using such technology. Once CALEA solutions become commercially available, Twin Valley anticipates that it will need approximately one year to order, engineer, install and test the solutions. Twin Valley requests this extension in hope that a solution is developed and made available during the time of the extension.

Presently, Twin Valley cannot justify upgrades without due consideration of the financial impact to the company as well as to its subscribers. The economics of further upgrades are in doubt at this time as stated previously. Cost is an important factor to Section 107(c) extension determinations. Section 107(c) was enacted specifically so as to not impose on carriers undue financial burdens due to compliancy with CALEA. Therefore, Section 107(c) conditions relief on whether compliance is reasonably and financially achievable

Because compliancy will not be achievable for these services until a vendor solution is available and because the potential cost of compliancy will place an undue burden on Twin Valley, we respectfully request that the Commission accept this waiver to extend the deadline to November 19, 2005 for Twin Valley Telephone, Inc. so as to bring its DSL-based services into compliance with Section 103 requirements.

CONCLUSION

The Commission accordingly should grant Twin Valley Telephone, Inc. an extension to November 19, 2005 for the installation of the packet-mode capabilities in this petition.

Respectfully submitted by:

Tom Karalis
Project Consultant
Fred Williamson & Associates, Inc
918.298.1618
tkaralis@fwainc.com